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7 Attorneys for Petitioner
ROBERT HENRY

IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

12 ROBERT HENRY,) NO. Civ. 94-0916 JKS EFB
13 Petitioner,)
14 v.) **STIPULATED REQUEST TO CONVERT**
15 CHARLES D. MARSHALL,) **EVIDENTIARY HEARING TO STATUS**
16 Respondent.) **CONFERENCE; ORDER**
17)
18) Date: November 3, 2008
19) Time: 9:15 a.m.
20) Court: 25
21) Judge: Honorable Edmund F. Brennan
22)

In light of the pending pro se motion for new counsel or to proceed pro se, filed by Mr. Henry on August 1, 2008, Petitioner, ROBERT HENRY, by and through his attorneys, Assistant Federal Defenders David M. Porter and Tivon Schardl, and Respondent, CHARLES D. MARSHALL, by and through his attorney MICHAEL DAMIAN O'REILLEY, jointly request that the Court convert the November 3, 2008, Evidentiary Hearing to a

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1 Status Conference.

2 DATED: October 23, 2008

3 Respectfully submitted,

4 EDMUND G. BROWN, Jr.
Attorney General

DANIEL J. BRODERICK
Federal Defender

6 /s/ Michael Damian O'Reilly
MICHAEL DAMIAN O'REILLEY
7 Deputy Attorney General

/s/ David M. Porter
DAVID M. PORTER
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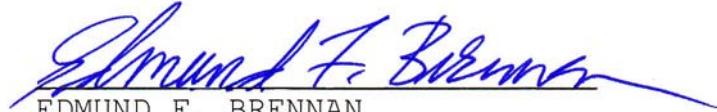
8 Attorney for Respondent
CHARLES D. MARSHALL

Attorney for Petitioner
ROBERT HENRY

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10 ORDER

11 Pursuant to the parties' joint request, and good cause appearing
12 therefor, it is hereby ordered that the November 3, 2008 Evidentiary
13 Hearing is converted to a Status Conference.

14 Dated: October 27, 2008

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16 EDMUND F. BRENNAN
17 UNITED STATES MAGISTRATE JUDGE
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